

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
SEP 29 2003	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>HZ</u>	DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SHUFFLE MASTER, INC., )

Plaintiff (s), )

vs. )

VENDINGDATA CORP., et al., )

Defendant (s). )

CV-S-02-0438-JCM(PAL)

MINUTES OF THE COURT

DATED: September 29, 2003

THE HONORABLE JAMES C. MAHAN UNITED STATES DISTRICT JUDGE

DEPUTY CLERK DAVID OAKES COURT REPORTER JOY HINCK

COUNSEL FOR PLAINTIFF: J.C. WILLIAMS

COUNSEL FOR DEFENDANT: W. WEST ALLEN

MINUTES OF PROCEEDINGS: Status check.

The Court convenes at 1:30 p.m.

The Court informed counsel due to the crowded docket this was set for a status check. The Court stated the Markman hearing should be heard first rather than the summary judgment motion.

The Court further informed counsel Magistrate Judge Leen will conduct the Markman hearing.

Mr. Williams stated he does not object with Magistrate Judge Leen conducting the Markman hearing.

Mr. Allen stated the Court may have to address the matter again after Magistrate Judge Leen hears it.

Mr. Allen inquired if Magistrate Judge Leen conducted the hearing and an order was entered, could either side object to the recommendation.

The Court stated there are parts of the claim which are not an issue.

The Court directed the clerk to contact Magistrate Judge Leen's clerk and arrive upon a date the Markman hearing could be heard.

**Shuffle Master Inc., vs. Vendingdata Corp., et al.,  
CV-S-02-0438-JCM(PAL)  
September 29, 2003**

**Page 2**

---

Mr. Allen requested that October 6<sup>th</sup> and 10<sup>th</sup> not be the date for the Markman hearing due to conflicting calendaring dates his office has.


**ACCORDINGLY, IT IS HEREBY ORDERED** defendant's motion for summary judgment (#78,79) **is denied administratively without prejudice.** The motion may be re-noticed after the completion of the Markman hearing.

**IT IS HEREBY FURTHER ORDERED** this case is referred to Magistrate Judge Peggy Leen to conduct the proceedings of the Markman hearing.

Court adjourns at 1:40 p.m.

LANCE S. WILSON, CLERK  
U.S. DISTRICT COURT

By:

  
David Oakes, Deputy Clerk